

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference MF 12006/2 WO	FOR FURTHER ACTION		See item 4 below
International application No. PCT/SE2005/001311	International filing date (<i>day/month/year</i>) 09 September 2005 (09.09.2005)	Priority date (<i>day/month/year</i>) 10 September 2004 (10.09.2004)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant SANDVIK INTELLECTUAL PROPERTY AB			

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).		
2.	This REPORT consists of a total of 6 sheets, including this cover sheet.		
	In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.		
3.	This report contains indications relating to the following items:		
	<input checked="" type="checkbox"/> Box No. I	Basis of the report	
	<input type="checkbox"/> Box No. II	Priority	
	<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	
	<input type="checkbox"/> Box No. IV	Lack of unity of invention	
	<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
	<input type="checkbox"/> Box No. VI	Certain documents cited	
	<input type="checkbox"/> Box No. VII	Certain defects in the international application	
	<input checked="" type="checkbox"/> Box No. VIII	Certain observations on the international application	
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).		

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Date of issuance of this report 13 March 2007 (13.03.2007)
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing (day/month/year) 20-12-2005	
Applicant's or agent's file reference MF 12006/2WO	FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/SE2005/001311	International filing date (day/month/year) 09-09-2005
Priority date (day/month/year) 10-09-2004	
International Patent Classification (IPC) or both national classification and IPC See Supplemental Box	
Applicant Sandvik Intellectual Property AB et al	

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further opinions, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of Cover sheet

INTERNATIONAL PATENT CLASSIFICATION (IPC):

C23C 14/06 (2006.01)

C23C 14/32 (2006.01)

C23C 30/00 (2006.01)

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Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:
☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ on paper
☐ in electronic form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in electronic form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-2	YES
	Claims		NO
Inventive step (IS)	Claims	1-2	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-2	YES
	Claims		NO

2. Citations and explanations:

Documents cited in the International Search Report:

- D1: US-2002/0051885-A1
D2: Patent Abstracts of Japan, abstract of JP-8 209 335-A, 1996-12-26 & JP-8 209 335-A (see also English translation)
D3: Patent Abstracts of Japan, abstract of JP-9 095 763-A, 1997-08-29 & JP-9 095 763-A (see also English translation)
D4: Patent Abstracts of Japan, abstract of JP-10 140 330-A, 1998-08-31 & JP-10 140 330-A (see also English translation)

The cited documents represent the general state of the art. The invention defined in claims 1-2 is not disclosed by any of these documents.

The cited prior art does not give any indication that would lead a person skilled in the art to the claimed coated cutting tool insert and the method for making a coated cutting tool insert. Therefore, the claimed invention is not obvious to a person skilled in the art.

Accordingly, the invention defined in claims 1-2 is novel and is considered to involve an inventive step. The invention is industrially applicable.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawing or on the question whether the claim are fully supported by the description, are made:

According to PCT Article 6, the claim or claims shall define the matter for which protection is sought. Claims shall be clear and concise. They shall be fully supported by the description:

The claims are vaguely and broadly defined in view of the technical support in the description. No other PVD-method than cathodic arc evaporation is exemplified in the description (cf. the description p.2, line 18-34, p.6, lines 21-25 and example 1).

It is not clearly stated that it is the layer that has the desired features, which are mentioned in the characterising part of claim 1.

It is not stated in claim 2 that the method is intended to produce a coated insert, which has the features that are mentioned in the characterising part of claim 1.